**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE J.B.KOSHY**
**&**
**THE HONOURABLE MR. JUSTICE K.THANKAPPAN**

**TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929**

**RP.No. 636 of 2005()**
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**AGAINST THE JUDGEMENT/ORDER IN LAA.335/1993 Dated 05/03/2003**
**.....**

**REVIEW PETITIONER/APPELLANT/CLAIMANT.**
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**TITUS ABRAHAM, EDAMANA VEEDU,**
**KODIMATHA, KOTTAYAM.**

**BY ADV. SRI.BECHU KURIAN THOMAS**

**RESPONDENTS: RESPONDENTS/ RESPONDENTS**
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**1. STATE OF KERALA.**

**2. KOTTAYAM MUNICIPALITY, REPRESENTED BY THE COMMISSIONER, PETERS FARM.**

**BY ADDL.ADVOCATE GENERAL**
**GOVERNMENT PLEADER SRI.NOBLE MATHEW**
**SRI.V.GIRI**
**SRI.SIBY MATHEW**
**SRI.A.A.MOHAMMED NAZIR**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**J.B.KOSHY & K.THANKAPPAN, JJ.**

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R.P.No.636 OF 2005 in
L.A.A.No.335 of 1993

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Dated 17th July, 2007

**ORDER**

**Koshy,J.**

The main grievance of the revision petitioner is that the reference court enhanced the land value at the rate of Rs.4,250/= per cent for dry land and at the rate of Rs.1,000/= per cent for wet land. The appeal filed by the appellant was decided along with some other cases. In that process, land value was reduced as per the decree given. We note that the above contention is not correct. In effect L.A.A.No.335/1993 was dismissed and in the operative portion it is stated as follows:

> "The appeals, L.A.A.Nos.83 of 1994, 640 of 1993, 335 of 1993 and 334 of 1993 are dismissed accordingly."

Requisitioning authority has filed L.A.A.No.83 of 1994 from the same award. Both were heard together and it was found that land value can be fixed only at the rate of Rs.2,750/= per cent for dry land and Rs.625/= per cent for wet land. Therefore, land value was reduced allowing the appeal filed by the State. The contention now made is that the above judgment

is not correct as the land involved in this case is situated near market and Kottayam town, it will fetch very high value. If the judgment of the Division Bench is not correct, it is for the party to file appeal before the Supreme Court. A review petition cannot be equated to a petition for rehearing of the matter or as an appeal proceedings.

The review petition is dismissed.

**J.B.KOSHY**
**JUDGE**

**K.THANKAPPAN**
**JUDGE**

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